

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOHN WILHELM,

Plaintiff,

vs.

PFIZER INC., *et al.*,

Defendants.

Case No. 2:06-cv-00529-PMP-GWF

ORDER

Motion for Extension of Time (#61)

This matter is before the Court on Plaintiff Wilhelm's ("Plaintiff") Motion for Extension of Time (#61), filed April 21, 2014. On April 22, 2014, Judge Pro entered Order (#62) granting Plaintiff an extension of time to file his Opposition to Defendants' motion for summary judgment. The Court now rules on the remaining requests for relief in Plaintiff's Motion (#61).

Plaintiff requests a second extension of time regarding discovery to procure an attorney to represent him in this matter. Pursuant to Fed. R. Civ. P. 6(b) and LR 6, extensions of time may be granted for good cause shown. Here, the Court finds Plaintiff has shown good cause for an extension.

Additionally, Plaintiff requests that Order (#56) granting Defendants' Motion to Stay Expert Disclosures (#49) be vacated because he was present in the courthouse, but unable to attend the hearing on April 4, 2014, due to the Clerk inadvertently directing him to courtroom 7C in lieu of courtroom 3A. Pursuant to Fed R. Civ. P. 60, on motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding for mistake, inadvertence, or excusable neglect, or any other reason that justifies relief. In this instance, however, the Court does not find just terms to vacate Order (#56). Plaintiff's failure to disclose

1 his experts by January 31, 2014 in accordance with the scheduling order prompted Defendants to
2 bring their Motion (#49) to stay their expert disclosure deadline pending a decision on their
3 motion for summary judgment. *See Doc. #49* at pg. 1. Furthermore, Plaintiff is requesting a
4 second extension of time regarding the discovery deadline, which accordingly extends the time
5 for expert disclosures. Not seeing the need to vacate its Order (#56) at this time, the Court will
6 deny Plaintiff's request. If Plaintiff can show just terms for vacating Order (#56), however, the
7 Plaintiff may refile an appropriate motion at that time. Accordingly,

8 **IT IS HEREBY ORDERED** that Plaintiff Wilhelm's Motion for Extension of Time
9 (#61) is **granted** in part and **denied** in part.

10 **IT IS FURTHER ORDERED** that Plaintiff's request to extend time for discovery is
11 **granted**. Plaintiff shall provide the Court with a status update by **May 19, 2014** with regards to
12 whether Plaintiff is ready to proceed with discovery.

13 **IT IS FURTHER ORDERED** that in accordance with Order #62, Plaintiff shall file his
14 opposition to Defendant's Motion for Summary Judgement (#46) on or before **May 19, 2014**.

15 **IT IS FURTHER ORDERED** that the Plaintiff's request to vacate Order (#56) is
16 **denied** without prejudice.

17 DATED this 24th day of April, 2014.

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20 **GEORGE FOLEY, JR.**
21 **UNITED STATES MAGISTRATE JUDGE**
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